

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

UNITED STATES OF AMERICA §
§
v. § CASE NO. 2:22-CR-0008 -JRG-RSP
§
JOSHUA ADAM TOLAR §

**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND
FINDING DEFENDANT GUILTY
PURSUANT TO RULE 11 (c)(1)(C)**

On this day, the Court considered the Findings of Fact and Recommendation of United States Magistrate Judge Roy S. Payne regarding Defendant's plea of guilty under the provisions of Rule 11(c)(1)(C) to Count 1 of the indictment charging defendant with a violation of 21 U.S.C. § 846, conspiracy to possess with intent to distribute and distribution of methamphetamine. Having conducted a proceeding in the form and manner prescribed by FED. R. CRIM P. 11, the Magistrate Judge recommends that the Court accept the Defendant's guilty plea, reserving to the District Judge the option of rejecting the Plea Agreement if, after review of the presentence report, the agreed sentence is determined not to be the appropriate disposition of the case. The parties waived their right to file objections to the Findings of Fact and Recommendation. The Court is of the opinion that the Findings of Fact and Recommendation should be accepted.

It is accordingly **ORDERED** that the Findings of Fact and Recommendation of the United States Magistrate Judge, filed on January 27, 2023 are hereby **ADOPTED**.

It is further **ORDERED** that, pursuant to Defendant's Plea Agreement, the Court finds Defendant **GUILTY** of Count 1 of the indictment in the above-numbered cause, reserving to the District Judge the option of rejecting the Plea Agreement if, after review of the presentence report,

the agreed sentence is determined not to be the appropriate disposition of the case.

So ORDERED and SIGNED this 16th day of February, 2023.



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE